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Report of the Special Committee on the Charter of the United Nations and on the Strengthening of the Role of the Organization

Report of the Sixth Committee

Rapporteur: Mr. Rytis **Paulauskas** (Lithuania)

I. Introduction

1. The item entitled "Report of the Special Committee on the Charter of the United Nations and on the Strengthening of the Role of the Organization" was included in the agenda of the fifty-third session of the General Assembly pursuant to Assembly resolution 52/161 of 15 December 1997.

2. At its 3rd plenary meeting, on 15 September 1998, the General Assembly, on the recommendation of the General Committee, decided to include the item in its agenda and to allocate it to the Sixth Committee.

3. The Sixth Committee considered the item at its 5th to 8th, 13th, 16th, 17th, 28th, 32nd and 34th meetings, on 16, 19, 20, 26 and 29 October and on 12, 17 and 19 November 1998. The views of the representatives who spoke during the Committee's consideration of the item are reflected in the relevant summary records (A/C.6/53/SR.5–8, 13, 16, 17, 28, 32 and 34).

4. For its consideration of the item, the Committee had before it the following documents:

(a) Report of the Special Committee on the Charter of the United Nations and on the Strengthening of the Role of the Organization;[1]

[1] *Official Records of the General Assembly, Fifty-third Session, Supplement No. 33* (A/53/33).

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(b) Report of the Secretary-General on the implementation of provisions of the Charter related to assistance to third States affected by the application of sanctions (A/53/312);

(c) Report of the Secretary-General on the consequences that the increase in the volume of cases before the International Court of Justice has on the operation of the Court (A/53/326 and Corr.1 and Add.1);

(d) Report of the Secretary-General on the *Repertory of Practice of United Nations Organs* and *Repertoire of the Practice of the Security Council* (A/53/386);

(e) Letter dated 17 September 1998 from the Permanent Representative of Iraq to the United Nations addressed to the Secretary-General (A/53/425).

5. At the 13th meeting, on 26 October, in relation to the report of the Secretary-General on the consequences that the increase in the volume of cases before the International Court of Justice has on the operation of the Court (A/53/326, Corr.1 and Add.1), the Sixth Committee noted that the report was related closely to item 113 of the agenda of the current session of the General Assembly, an item assigned to the Fifth Committee. Consequently, the Committee requested its Chairman to transmit that document to the Chairman of the Fifth Committee without delay for possible consideration by that Committee in connection with agenda item 113.

II. Consideration of proposals

A. Draft resolution A/C.6/53/L.6/Rev.1

6. At the 28th meeting, on 12 November, the representative of *Egypt* introduced a draft resolution entitled "Report of the Special Committee on the Charter of the United Nations and on the Strengthening of the Role of the Organization" (A/C.6/53/L.6/Rev.1).

7. At the 32nd meeting, on 17 November, the representative of Egypt orally revised operative paragraph 3 to read:

> "3. *Decides* that the Special Committee will hold its next session from 12 to 23 April 1999;"

8. The Secretary of the Committee made a statement on the financial implications of operative paragraph 5 of the draft resolution (see A/C.6/53/SR.32).

9. At the same meeting, the Committee adopted draft resolution A/C.6/53/L.6/Rev.1, as orally revised, without a vote (see para. 14, draft resolution I).

B. Draft resolution A/C.6/53/L.3 and Rev.1

10. At the 16th meeting, on 29 October, the representative of *Ukraine*, also on behalf of *Belarus, Bulgaria,* the *Russian Federation* and *Turkey*, introduced a draft resolution entitled "Implementation of the provisions of the Charter of the United Nations related to assistance to third States affected by the application of sanctions" (A/C.6/53/L.3), which read:

> *"The General Assembly,*
>
> *"Concerned* about the special economic problems confronting certain States arising from the carrying out of preventive or enforcement measures taken by the Security Council against other States, and taking into account the obligation of

Members of the United Nations under Article 49 of the Charter of the United Nations to join in affording mutual assistance in carrying out the measures decided upon by the Security Council,

"*Recalling* the right of third States confronted with special economic problems of that nature to consult the Security Council with regard to a solution of those problems, in accordance with Article 50 of the Charter,

"*Recognizing* the desirability of the consideration of further appropriate procedures for consultations to deal in a more effective manner with the problems referred to in Article 50 of the Charter,

"*Recalling*:

"(a) The report of the Secretary-General entitled 'An Agenda for Peace',[2] in particular paragraph 41 thereof;

"(b) Its resolution 47/120 A of 18 December 1992, entitled 'An Agenda for Peace: preventive diplomacy and related matters', its resolution 47/120 B of 20 September 1993, entitled 'An Agenda for Peace', in particular section IV thereof, entitled 'Special economic problems arising from the implementation of preventive or enforcement measures', and its resolution 51/242 of 15 September 1997, entitled 'Supplement to an Agenda for Peace', in particular annex II thereof, entitled 'Question of sanctions imposed by the United Nations';

"(c) The position paper of the Secretary-General entitled 'Supplement to an Agenda for Peace';[3]

"(d) The statement by the President of the Security Council of 22 February 1995;[4]

"(e) The report of the Secretary-General[5] prepared pursuant to the note by the President of the Security Council[6] regarding the question of special economic problems of States as a result of sanctions imposed under Chapter VII of the Charter;

"(f) The reports of the Secretary-General on economic assistance to States affected by the implementation of the Security Council resolutions imposing sanctions against the Federal Republic of Yugoslavia (Serbia and Montenegro)[7] and General Assembly resolutions 48/210 of 21 December 1993, 49/21 A of 2 December 1994, 50/58 E of 12 December 1995, 51/30 A of 5 December 1996 and 52/169 H of 16 December 1997;

"(g) The 1994, 1995, 1996, 1997 and 1998 reports of the Special Committee on the Charter of the United Nations and on the Strengthening of the Role of the Organization;[8]

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[2] A/47/277–S/24111; see *Official Records of the Security Council, Forty-seventh Year, Supplement for April, May and June 1992*, document S/24111.

[3] A/50/60–S/1995/1; see *Official Records of the Security Council, Fiftieth Year, Supplement for January, February and March 1995*, document S/1995/1.

[4] S/PRST/1995/9; see *Resolutions and Decisions of the Security Council, 1995*.

[5] A/48/573–S/26705; see *Official Records of the Security Council, Forty-eighth Year, Supplement for October, November and December 1993*, document S/26705.

[6] See *Official Records of the Security Council, Forty-seventh Year, Supplement for October, November and December 1992*, document S/25036.

[7] A/49/356, A/50/423, A/51/356 and A/52/535.

[8] *Official Records of the General Assembly, Forty-ninth Session, Supplement No. 33* (A/49/33); ibid., *Fiftieth Session, Supplement No. 33* (A/50/33); ibid., *Fifty-first Session, Supplement No. 33* (A/51/33); ibid., *Fifty-second Session, Supplement No. 33 and corrigendum* (A/52/33 and Corr.1); and ibid., *Fifty-third Session, Supplement No. 33* (A/53/33).

"(h) The reports of the Secretary-General on the implementation of the provisions of the Charter related to assistance to third States affected by the application of sanctions under Chapter VII of the Charter;[9]

"*Taking note* of the most recent report of the Secretary-General, submitted in accordance with General Assembly resolution 52/162 of 15 December 1997,[10]

"*Recalling* that the question of assistance to third States affected by the application of sanctions has been addressed recently in several forums, including the General Assembly and its subsidiary organs and the Security Council,

"*Recalling also* the measures taken by the Security Council in accordance with the statement by the President of the Security Council of 16 December 1994[11] that, as part of the Council's effort to improve the flow of information and the exchange of ideas between members of the Council and other States Members of the United Nations, there should be increased recourse to open meetings, in particular at an early stage in its consideration of a subject,

"*Stressing* that, in formulation of sanctions regimes, due account should be taken of the potential effects of sanctions on third States,

"*Stressing also*, in this context, the powers of the Security Council under Chapter VII of the Charter and the Council's primary responsibility under Article 24 of the Charter for the maintenance of international peace and security in order to ensure prompt and effective action by the United Nations,

"*Recalling* that, under Article 31 of the Charter, any Member of the United Nations that is not a member of the Security Council may participate, without vote, in the discussion of any question brought before the Council whenever the latter considers that the interests of that Member are specially affected,

"*Recognizing* that the imposition of sanctions under Chapter VII has been causing special economic problems in third States and that it is necessary to intensify efforts to address those problems,

"*Taking into consideration* the views of third States which could be affected by the imposition of sanctions,

"*Recognizing* that assistance to third States affected by the application of sanctions would further contribute to an effective and comprehensive approach by the international community to sanctions imposed by the Security Council,

"*Recognizing also* that the international community at large and, in particular, international institutions involved in providing economic and financial assistance should continue to take into account and address in a more effective manner the special economic problems of affected third States arising from the carrying out of preventive or enforcement measures taken by the Security Council under Chapter VII of the Charter, in view of their magnitude and of the adverse impact on the economy of those States,

"*Recalling* the provisions of resolutions 50/51 of 11 December 1995, 51/208 of 17 December 1996 and 52/162 of 15 December 1997,

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[9] A/50/361, A/51/317 and A/52/308.

[10] A/53/312.

[11] S/PRST/1994/81; see *Resolutions and Decisions of the Security Council, 1994*.

"1. *Renews its invitation* to the Security Council to consider the establishment of further mechanisms or procedures, as appropriate, for consultations as early as possible under Article 50 of the Charter of the United Nations with third States, which are or may be confronted with special economic problems arising from the carrying out of preventive or enforcement measures imposed by the Council under Chapter VII of the Charter, with regard to a solution of those problems, including appropriate ways and means for increasing the effectiveness of its methods and procedures applied in the consideration of requests by the affected States for assistance;

"2. *Welcomes once again* the further measures taken by the Security Council since the adoption of General Assembly resolution 50/51 and aimed at increasing the effectiveness and transparency of the sanctions committees, invites the Council to implement those measures, and strongly recommends that the Council continue its efforts to further enhance the functioning of the sanctions committees, to streamline their working procedures and to facilitate access to them by representatives of States that find themselves confronted with special economic problems arising from the carrying out of sanctions;

"3. *Requests* the Secretary-General to pursue implementation of resolutions 50/51, 51/208 and 52/162 and to ensure that the competent units within the Secretariat develop the adequate capacity and appropriate modalities, technical procedures and guidelines to continue, on a regular basis, to collate and coordinate information about international assistance available to third States affected by the implementation of sanctions, to continue developing a possible methodology for assessing the adverse consequences actually incurred by third States and to initiate action in order to explore innovative and practical measures of assistance to the affected third States;

"4. *Also requests* the Secretary-General to seek the views of Governments and to hold consultations, as appropriate, with the relevant international organizations both within and outside the United Nations system regarding the report on the ad hoc expert group meeting on developing a methodology for assessing the consequences incurred by third States as a result of preventive or enforcement measures and on exploring innovative and practical measures of international assistance to the affected third States, in particular its conclusions and recommendations;[12]

"5. *Reaffirms* the important role of the General Assembly, the Economic and Social Council and the Committee for Programme and Coordination in mobilizing and monitoring, as appropriate, the economic assistance efforts by the international community and the United Nations system to States confronted with special economic problems arising from the carrying out of preventive or enforcement measures imposed by the Security Council and, as appropriate, in identifying solutions to the special economic problems of those States, and requests the Economic and Social Council to consider, at its substantive session for 1999, the report on the ad hoc expert group meeting convened pursuant to paragraph 4 of General Assembly resolution 52/162;

"6. *Invites* the organizations of the United Nations system, international financial institutions, other international organizations, regional organizations and Member States to address more specifically and directly, where appropriate, special economic problems of third States affected by sanctions imposed under Chapter VII of the Charter and, for this purpose, to consider improving procedures for consultations to maintain a constructive dialogue with such States, including through

[12] A/53/312, sect. IV.

regular and frequent meetings as well as, where appropriate, special meetings between the affected third States and the donor community, with the participation of United Nations agencies and other international organizations;

"7. *Requests* the Special Committee on the Charter of the United Nations and on the Strengthening of the Role of the Organization, at its session in 1999, to continue to consider on a priority basis the question of the implementation of the provisions of the Charter related to assistance to third States affected by the application of sanctions under Chapter VII of the Charter, taking into consideration all the related reports of the Secretary-General, in particular the most recent report containing a summary of the deliberations and main findings of the ad hoc expert group meeting convened pursuant to paragraph 4 of General Assembly resolution 52/162, the proposals submitted on this subject, the debate on this question in the Sixth Committee during the fifty-third session of the General Assembly and the text on the question of sanctions imposed by the United Nations contained in annex II to General Assembly resolution 51/242, as well as the implementation of the provisions of General Assembly resolutions 50/51, 51/208, 52/162 and the present resolution;

"8. *Decides* to establish a working group within the Sixth Committee of the fifty-fourth session of the General Assembly to consider further progress in elaboration of effective measures aimed at implementation of provisions of the Charter related to assistance to third States affected by the application of sanctions under Chapter VII of the Charter;

"9. *Requests* the Secretary-General to submit a report on the implementation of the present resolution to the General Assembly at its fifty-fourth session."

11. At the 34th meeting, on 19 November, the representative of *South Africa* and coordinator of informal consultations introduced a revised draft resolution entitled "Implementation of the provisions of the Charter of the United Nations related to assistance to third States affected by the application of sanctions" (A/C.6/53/L.3/Rev.1).

12. At the same meeting, the Committee adopted draft resolution A/C.6/53/L.3/Rev.1 without a vote (see para. 14, draft resolution II).

13. The representatives of Ukraine and the Russian Federation made statements in explanation of position after the adoption of the draft resolution (see A/C.6/53/SR.34).

III. Recommendations of the Sixth Committee

14. The Sixth Committee recommends to the General Assembly the adoption of the following draft resolutions:

Draft resolution I

Report of the Special Committee on the Charter of the United Nations and on the Strengthening of the Role of the Organization

The General Assembly,

Recalling its resolution 3499 (XXX) of 15 December 1975, by which it established the Special Committee on the Charter of the United Nations and on the Strengthening of the Role of the Organization, and its relevant resolutions adopted at subsequent sessions,

Recalling also its resolution 47/233 of 17 August 1993 on the revitalization of the work of the General Assembly,

Recalling further its resolution 47/62 of 11 December 1992 on the question of equitable representation on and increase in the membership of the Security Council,

Taking note of the report of the Open-ended Working Group on the Question of Equitable Representation on and Increase in the Membership of the Security Council and Other Matters Related to the Security Council,[13]

Also taking note of the report of the Secretary-General on the results of the ad hoc expert group meeting convened in accordance with General Assembly resolution 52/162 of 15 December 1997,[14]

Recalling the elements relevant to the work of the Special Committee contained in its resolution 47/120 B of 20 September 1993,

Recalling also its resolution 51/241 of 31 July 1997 on the strengthening of the United Nations system and its resolution 51/242 of 15 September 1997, entitled "Supplement to an Agenda for Peace", by which it adopted the texts on coordination and the question of sanctions imposed by the United Nations, which are annexed to that resolution,

Recalling further that the International Court of Justice is the principal judicial organ of the United Nations, and reaffirming its authority and independence,

Taking note of the report of the Secretary-General containing the comments and observations of the International Court of Justice and States on the consequences that the increase in the volume of cases before the Court has on its operation,[15]

Considering the desirability of finding practical ways and means of strengthening the Court,

Taking note of the report of the Secretary-General on the *Repertory of Practice of United Nations Organs* and the *Repertoire of the Practice of the Security Council*,[16]

Recalling its resolution 52/162 of 15 December 1997,

Having considered the report of the Special Committee on the work of its session held in 1998,[17]

1. *Takes note* of the report of the Special Committee on the Charter of the United Nations and on the Strengthening of the Role of the Organization;[17]

2. *Welcomes* the report of the Secretary-General on the results of the ad hoc expert group meeting convened in accordance with General Assembly resolution 52/162;[18]

3. *Decides* that the Special Committee will hold its next session from 12 to 23 April 1999;

4. *Requests* the Special Committee, at its session in 1999, in accordance with paragraph 5 of General Assembly resolution 50/52 of 11 December 1995:

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[13] *Official Records of the General Assembly, Fifty-second Session, Supplement No. 47* (A/52/47).

[14] See A/53/312, chap. IV.

[15] A/53/326 and Corr.1 and Add.1.

[16] A/53/386.

[17] *Official Records of the General Assembly, Fifty-third Session, Supplement No. 33* (A/53/33).

[18] A/53/312.

(a) To continue its consideration of all proposals concerning the question of the maintenance of international peace and security in all its aspects in order to strengthen the role of the United Nations and, in this context, to consider other proposals relating to the maintenance of international peace and security already submitted or which may be submitted to the Special Committee at its session in 1999, including the revised proposal on the strengthening of the role of the United Nations in the maintenance of international peace and security,[19] the revised working paper on the strengthening of the role of the Organization and enhancing its effectiveness,[20] the revised working paper entitled "Basic conditions and criteria for the introduction of sanctions and other coercive measures and their implementation"[21] and the working paper on the draft declaration on the basic principles and criteria for the work of the United Nations peacekeeping missions and mechanisms for the prevention and settlement of crises and conflicts;[22]

(b) To continue to consider on a priority basis the question of the implementation of the provisions of the Charter related to assistance to third States affected by the application of sanctions under Chapter VII of the Charter, taking into consideration the reports of the Secretary-General,[23] the proposals submitted on this subject, the debate on this question in the Sixth Committee at the fifty-third session of the General Assembly and the text on the question of sanctions imposed by the United Nations contained in annex II to General Assembly resolution 51/242, and also the implementation of the provisions of General Assembly resolutions 50/51 of 11 December 1995, 51/208 of 17 December 1996, 52/162 of 15 December 1997 and 53/... of .. December 1998;

(c) To continue its work on the question of the peaceful settlement of disputes between States and, in this context, to continue its consideration of proposals relating to the peaceful settlement of disputes between States, including the proposal on the establishment of a dispute settlement service offering or responding with its services early in disputes and those proposals relating to the enhancement of the role of the International Court of Justice;

(d) To continue to consider proposals concerning the Trusteeship Council in the light of the report of the Secretary-General submitted in accordance with resolution 50/55 of 11 December 1995,[24] the report of the Secretary-General entitled "Renewing the United Nations: a programme for reform"[25] and the views expressed by States on this subject at the previous sessions of the General Assembly;

(e) To continue to consider, taking into account the comments presented by the International Court of Justice and States pursuant to resolution 52/161 of 15 December 1997, practical ways and means of strengthening the Court, while respecting its authority and independence, on the understanding that whatever action may be taken as a result of the consideration will have no implications for any changes in the Charter of the United Nations or in the Statute of the International Court of Justice;

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[19] *Official Records of the General Assembly, Fifty-first Session, Supplement No. 33* (A/51/33), para. 56.

[20] Ibid., *Fifty-second Session, Supplement No. 33* and corrigendum (A/52/33 and Corr.1), para. 59.

[21] Ibid., *Fifty-third Session, Supplement No. 33* (A/53/33), para. 45.

[22] Ibid., *Fifty-first Session, Supplement No. 33* (A/51/33), para. 128.

[23] A/48/573–S/26705 (see *Official Records of the Security Council, Forty-eighth Year, Supplement for October, November and December 1993*), A/49/356, A/50/60-S/1995/1 (see *Official Records of the Security Council, Fiftieth Year, Supplement for January, February and March 1995*), A/50/423, A/50/361, A/51/317, A/52/308 and A/53/312.

[24] A/50/1011.

[25] A/51/950 and Add.1–7.

5. *Takes note* of subparagraphs (a), (b), (c), (d) and (f) of paragraph 32 of the report of the Secretary-General,[16] and requests him to continue to undertake efforts to identify resources to prepare supplements to the *Repertory of Practice of United Nations Organs* and the *Repertoire of the Practice of the Security Council* and, in particular, to complete the work required to issue the two remaining volumes of Supplement No. 5 to the *Repertory of Practice of United Nations Organs* and to submit a progress report on the matter to the General Assembly at its fifty-fourth session;

6. *Invites* the Special Committee at its session in 1999 to continue to identify new subjects for consideration in its future work with a view to contributing to the revitalization of the work of the United Nations, to discuss how to offer its assistance to the working groups of the General Assembly in this field and, in this regard, to consider ways and means of improving coordination between the Special Committee and other working groups dealing with the reform of the Organization, including the role of the Chairperson of the Special Committee for this purpose, and to continue considering ways and means of improving its working methods;

7. *Requests* the Special Committee to submit a report on its work to the General Assembly at the fifty-fourth session;

8. *Decides* to include in the provisional agenda of its fifty-fourth session the item entitled "Report of the Special Committee on the Charter of the United Nations and on the Strengthening of the Role of the Organization".

Draft resolution II

Implementation of the provisions of the Charter of the United Nations related to assistance to third States affected by the application of sanctions

The General Assembly,

Concerned about the special economic problems confronting certain States arising from the carrying out of preventive or enforcement measures taken by the Security Council against other States, and taking into account the obligation of Members of the United Nations under Article 49 of the Charter of the United Nations to join in affording mutual assistance in carrying out the measures decided upon by the Security Council,

Recalling the right of third States confronted with special economic problems of that nature to consult the Security Council with regard to a solution of those problems, in accordance with Article 50 of the Charter,

Recognizing the desirability of the consideration of further appropriate procedures for consultations to deal in a more effective manner with the problems referred to in Article 50 of the Charter,

Recalling:

(a) The report of the Secretary-General entitled "An Agenda for Peace",[26] in particular paragraph 41 thereof;

(b) Its resolution 47/120 A of 18 December 1992, entitled "An Agenda for Peace: preventive diplomacy and related matters", its resolution 47/120 B of 20 September 1993, entitled "An Agenda for Peace", in particular section IV thereof, entitled "Special economic

[26] A/47/277–S/24111; see *Official Records of the Security Council, Forty-seventh Year, Supplement for April, May and June 1992*, document S/24111.

problems arising from the implementation of preventive or enforcement measures", and its resolution 51/242 of 15 September 1997, entitled "Supplement to an Agenda for Peace", in particular annex II thereof, entitled "Question of sanctions imposed by the United Nations";

(c) The position paper of the Secretary-General entitled "Supplement to an Agenda for Peace";[27]

(d) The statement by the President of the Security Council of 22 February 1995;[28]

(e) The report of the Secretary-General[29] prepared pursuant to the note by the President of the Security Council[30] regarding the question of special economic problems of States as a result of sanctions imposed under Chapter VII of the Charter;

(f) The reports of the Secretary-General on economic assistance to States affected by the implementation of the Security Council resolutions imposing sanctions against the Federal Republic of Yugoslavia (Serbia and Montenegro)[31] and General Assembly resolutions 48/210 of 21 December 1993, 49/21 A of 2 December 1994, 50/58 E of 12 December 1995, 51/30 A of 5 December 1996 and 52/169 H of 16 December 1997;

(g) The 1994, 1995, 1996, 1997 and 1998 reports of the Special Committee on the Charter of the United Nations and on the Strengthening of the Role of the Organization;[32]

(h) The reports of the Secretary-General on the implementation of the provisions of the Charter related to assistance to third States affected by the application of sanctions under Chapter VII of the Charter,[33]

Taking note of the most recent report of the Secretary-General, submitted in accordance with General Assembly resolution 52/162 of 15 December 1997,[34]

Recalling that the question of assistance to third States affected by the application of sanctions has been addressed recently in several forums, including the General Assembly and its subsidiary organs and the Security Council,

Recalling also the measures taken by the Security Council in accordance with the statement by the President of the Security Council of 16 December 1994[35] that, as part of the Council's effort to improve the flow of information and the exchange of ideas between members of the Council and other States Members of the United Nations, there should be increased recourse to open meetings, in particular at an early stage in its consideration of a subject,

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[27] A/50/60–S/1995/1; see *Official Records of the Security Council, Fiftieth Year, Supplement for January, February and March 1995*, document S/1995/1.

[28] S/PRST/1995/9; see *Resolutions and Decisions of the Security Council, 1995*.

[29] A/48/573–S/26705; see *Official Records of the Security Council, Forty-eighth Year, Supplement for October, November and December 1993*, document S/26705.

[30] See *Official Records of the Security Council, Forty-seventh Year, Supplement for October, November and December 1992*, document S/25036.

[31] A/49/356, A/50/423, A/51/356 and A/52/535.

[32] *Official Records of the General Assembly, Forty-ninth Session, Supplement No. 33* (A/49/33); ibid., *Fiftieth Session, Supplement No. 33* (A/50/33); ibid., *Fifty-first Session, Supplement No. 33* (A/51/33); ibid., *Fifty-second Session, Supplement No. 33* and corrigendum (A/52/33 and Corr.1); and ibid., *Fifty-third Session, Supplement No. 33* (A/53/33).

[33] A/50/361, A/51/317 and A/52/308.

[34] A/53/312.

[35] S/PRST/1994/81; see *Resolutions and Decisions of the Security Council, 1994*.

Stressing that, in formulation of sanctions regimes, due account should be taken of the potential effects of sanctions on third States,

Stressing also, in this context, the powers of the Security Council under Chapter VII of the Charter and the Council's primary responsibility under Article 24 of the Charter for the maintenance of international peace and security in order to ensure prompt and effective action by the United Nations,

Recalling that, under Article 31 of the Charter, any Member of the United Nations that is not a member of the Security Council may participate, without vote, in the discussion of any question brought before the Council whenever the latter considers that the interests of that Member are specially affected,

Recognizing that the imposition of sanctions under Chapter VII has been causing special economic problems in third States and that it is necessary to intensify efforts to address those problems,

Taking into consideration the views of third States which could be affected by the imposition of sanctions,

Recognizing that assistance to third States affected by the application of sanctions would further contribute to an effective and comprehensive approach by the international community to sanctions imposed by the Security Council,

Recognizing also that the international community at large and, in particular, international institutions involved in providing economic and financial assistance should continue to take into account and address in a more effective manner the special economic problems of affected third States arising from the carrying out of preventive or enforcement measures taken by the Security Council under Chapter VII of the Charter, in view of their magnitude and of the adverse impact on the economy of those States,

Recalling the provisions of resolutions 50/51 of 11 December 1995, 51/208 of 17 December 1996 and 52/162 of 15 December 1997,

1. *Renews its invitation* to the Security Council to consider the establishment of further mechanisms or procedures, as appropriate, for consultations as early as possible under Article 50 of the Charter of the United Nations with third States, which are or may be confronted with special economic problems arising from the carrying out of preventive or enforcement measures imposed by the Council under Chapter VII of the Charter, with regard to a solution of those problems, including appropriate ways and means for increasing the effectiveness of its methods and procedures applied in the consideration of requests by the affected States for assistance;

2. *Welcomes once again* the further measures taken by the Security Council since the adoption of General Assembly resolution 50/51 and aimed at increasing the effectiveness and transparency of the sanctions committees, invites the Council to implement those measures, and strongly recommends that the Council continue its efforts to further enhance the functioning of the sanctions committees, to streamline their working procedures and to facilitate access to them by representatives of States that find themselves confronted with special economic problems arising from the carrying out of sanctions;

3. *Requests* the Secretary-General to pursue implementation of resolutions 50/51, 51/208 and 52/162 and to ensure that the competent units within the Secretariat develop the adequate capacity and appropriate modalities, technical procedures and guidelines to continue, on a regular basis, to collate and coordinate information about international assistance available to third States affected by the implementation of sanctions, to continue developing a possible methodology for assessing the adverse consequences actually incurred

by third States and to initiate action in order to explore innovative and practical measures of assistance to the affected third States;

4. *Also requests* the Secretary-General to seek the views of States, the organizations of the United Nations system, international financial institutions and other international organizations regarding the report of the ad hoc expert group meeting on developing a methodology for assessing the consequences incurred by third States as a result of preventive or enforcement measures and on exploring innovative and practical measures of international assistance to the affected third States;[36]

5. *Reaffirms* the important role of the General Assembly, the Economic and Social Council and the Committee for Programme and Coordination in mobilizing and monitoring, as appropriate, the economic assistance efforts by the international community and the United Nations system to States confronted with special economic problems arising from the carrying out of preventive or enforcement measures imposed by the Security Council and, as appropriate, in identifying solutions to the special economic problems of those States, and decides to transmit the report of the ad hoc expert group meeting to the Economic and Social Council at its substantive session of 1999;

6. *Invites* the organizations of the United Nations system, international financial institutions, other international organizations, regional organizations and Member States to address more specifically and directly, where appropriate, special economic problems of third States affected by sanctions imposed under Chapter VII of the Charter and, for this purpose, to consider improving procedures for consultations to maintain a constructive dialogue with such States, including through regular and frequent meetings as well as, where appropriate, special meetings between the affected third States and the donor community, with the participation of United Nations agencies and other international organizations;

7. *Requests* the Special Committee on the Charter of the United Nations and on the Strengthening of the Role of the Organization, at its session in 1999, to continue to consider on a priority basis the question of the implementation of the provisions of the Charter related to assistance to third States affected by the application of sanctions under Chapter VII of the Charter, taking into consideration all the related reports of the Secretary-General, in particular the most recent report containing a summary of the deliberations and main findings of the ad hoc expert group meeting convened pursuant to paragraph 4 of General Assembly resolution 52/162, the proposals submitted on this subject, the debate on this question in the Sixth Committee during the fifty-third session of the General Assembly and the text on the question of sanctions imposed by the United Nations contained in annex II to General Assembly resolution 51/242, as well as the implementation of the provisions of General Assembly resolutions 50/51, 51/208, 52/162 and the present resolution;

8. *Decides* to continue to consider within the Sixth Committee, or if necessary within a working group of the Committee, at the fifty-fourth session of the General Assembly, further progress in the elaboration of effective measures aimed at the implementation of provisions of the Charter related to assistance to third States affected by the application of sanctions under Chapter VII of the Charter;

9. *Requests* the Secretary-General to submit a report on the implementation of the present resolution to the General Assembly at its fifty-fourth session.

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[36] See A/53/312.